

EX PARTE OR LATE FILED

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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JAN 27 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Service Rules for the 746-764 and)
776-794 MHz Bands, and Revisions of)
Part 27 of the Commission's Rules)

WT Docket No. 99-168

WRITTEN EX PARTE PRESENTATION

OF KENWOOD COMMUNICATIONS CORPORATION

1. Kenwood Communications Corporation (Kenwood), by counsel, hereby respectfully submits its Written Ex Parte Presentation in response to the *Public Notice*¹ ("Public Notice") released January 7, 2000. Kenwood is a major manufacturer of various types of electronic equipment, including those used by public safety agencies in land mobile operations. Accordingly, Kenwood has a significant interest in this proceeding.

2. In the *Public Notice*, the Commission sought comment on what technical and operational standards the Commission should establish for the 6 MHz of spectrum immediately adjacent to the public safety allocation in the 746-806 MHz band. Of specific importance to Kenwood, the Commission sought comment on (1) whether the Commission should restrict operations in the guard bands to those entities that would not use an architecture

¹ See Public Comment Sought on Issues Related to Guard Bands in the 746-764 MHz and 776-794 MHz Spectrum Block (WT Docket No. 99-168), *Public Notice*, WT Docket No. 99-168, DA 00-31 (released January 7, 2000). Though the *Public Notice* specified a date for *ex parte* submissions in this proceeding of January 25, 2000, the Commission was closed that date, as well as January 26, 2000, due to the winter storm occurring January 25, 2000. Hence, this filing is timely, being tendered at the first opportunity following the return of the Commission to business.

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that employs an intense, cellular-like frequency re-use pattern; and (2) whether other restrictions should be placed on the nature of the system architecture of the licensees operating in the guard bands. Kenwood joins others filing comments and *ex parte* presentations to this proceeding in commending the Commission for recognizing the need to protect the public safety community from interference in the 746-806 MHz band and for setting up a 6 MHz guard band for that purpose.

3. In order to prevent harmful interference to public safety users in the 746-806 MHz band, Kenwood strongly urges the Commission not to allow any commercial providers using cellular-like systems or architecture to operate in the 6 MHz designated as the guard band. Such use would jeopardize standard two-way facility operations by public safety users. Furthermore, allowing cellular architectures in the guard bands would prevent effective frequency coordination with adjacent public safety operations, and severely limit frequency re-use, resulting in inefficient use of the spectrum. Rather than risk interference to public safety users, operations in the guard bands should be restricted to those entities employing architectures similar to those in use by public safety licensees, such as Private Mobile Radio Service, which has a proven history of compatibility with public safety systems. Accordingly, in order to permit flexibility and encourage maximum re-use of the guard band channels, open architecture should be protected in the guard bands.

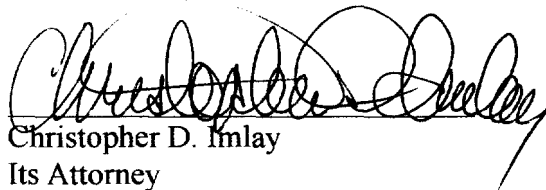
4. Kenwood appreciates that the Commission is mindful of the necessity of protecting public safety users from interference caused by certain uses of the guard bands, and therefore urges the Commission to carefully craft technical rules to protect public safety users in the adjacent bands from interference that are premised on tested and proven interference-avoidance techniques.

5. Therefore, the foregoing considered, Kenwood Communications Corporation respectfully requests that the Commission restrict operation in the guard bands to those entities that would not use an architecture that employs an intense cellular-like frequency re-use pattern.

Respectfully submitted,

KENWOOD COMMUNICATIONS CORPORATION

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